

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF EMERGENCY RULEMAKING

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The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority under section 18(e) of Mayor-Commissioner Regulation No. 74-39, enacted December 13, 1974, as amended by the Vendors Regulation Amendments Act of 1978, effective June 30, 1978 (D.C. Law 2-82; 24 DCR 9293); Reorganization Plan 1 of 1986, effective August 21, 1986; the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; 56 DCR 6619); and Mayor's Order 2009-106, dated June 16, 2009, hereby gives notice of the adoption of the following emergency rulemaking. This emergency rulemaking will amend chapter 5 (Vendors and Solicitors) of title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations.

This emergency rulemaking is necessitated by the immediate need to designate vending locations within the Nationals Park Vending Zone before the start of Major League Baseball's 2012 season. The emergency rulemaking maintains the vending locations established by the Expanding Opportunities for Street Vending Around the Baseball Stadium Clarifying Temporary Amendment Act of 2008, effective October 21, 2008 (D.C. Law 17-241; 55 DCR 9144).

This emergency rulemaking was adopted on March 19, 2012, to become effective immediately, and will remain in effect for up to one hundred twenty (120) days from the date of adoption. The rules will expire on July 17, 2012.

Chapter 5 (Vendors and Solicitors) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations is amended as follows:

Section 505.12 is amended to read as follows:

505.12 The Mayor shall post on the website of the Department of Consumer and Regulatory Affairs notice of any legislative, regulatory, or policy changes affecting vending in the District.

New section 530 is added to read as follows:

530 NATIONALS PARK VENDING ZONE

530.1 The streets listed in this subsection shall constitute the Nationals Park Vending Zone. Sidewalk vending locations shall be allowed on the following streets and in the following numbers:

- (a) East side of First Street, SE between N Street, SE and N Place, SE: two (2) Vending Locations;
- (b) East side of First Street, SE between N Place, SE and O Street, SE: two (2) Vending Locations;

- (c) West side of Half Street, SE between M Street, SE and N Street, SE: seven (7) Vending Locations; and
- (d) North side of N Street, SE between Half Street, SE and Van Street, SE: three (3) Vending Locations.

530.2 The Department of Consumer and Regulatory Affairs shall conduct a monthly lottery to assign the fourteen (14) vending locations within the Nationals Park Vending Zone.

530.3 The monthly fee for a monthly vending site permit in the Nationals Park Vending Zone shall be one hundred twenty-three dollars (\$123) per lottery.

530.4 Applicants may apply electronically, via designated computer kiosks, for each monthly lottery by visiting the DCRA Business Licensing Center which shall maintain information regarding the application process and qualifications.

530.5 Winners of each monthly lottery shall be notified by phone, first-class mail, electronic mail, or by being listed on the DCRA website (dcra.dc.gov).

530.6 Legally licensed vendors at the Robert F. Kennedy Memorial Stadium shall receive a preference in the assignment of vending locations in the Nationals Park Vending Zone in the form of an additional entry in each lottery.